REMARKS

Claims 1-14 are currently pending in this application. The Examiner is thanked for the indication of allowable subject matter.

In the Official letter dated February 4, 2005, the Examiner objected to claim 2 because the claim dependency was omitted. Claim 2 has been amended to obviate the objection. Claim 2 now depends from claim 1.

The Examiner rejected claims 1-5, 7, and 8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,295,018 to Diede et al. (hereinafter "Diede"). The Examiner's rejections have been carefully considered, but are respectfully traversed for the reasons that follow.

The present invention is directed towards a power management system for a level measurement system powered by a two wire loop. Claim 1 recites the features of a power management unit coupled to the loop and a transducer. The power management unit has an output coupled to a storage capacitor for charging the storage capacitor, an input port for receiving excess power from the loop, and a control terminal responsive to a control output from the controller for controlling the charging of the storage capacitor. The transducer includes an input for

receiving energy from the storage capacitor under the control of the controller.

In contrast, Diede is directed towards enhanced diagnostics in a low power radar level instrument. Diede does not teach or suggest a power management unit having an output coupled to a storage capacitor for charging the storage capacitor. Diede further fails to teach or suggest a transducer having an input for receiving energy from a storage capacitor.

The Examiner points to the capacitor mentioned in "column 3, lines 54+" as the storage capacitor recited in pending claim 1. Based on a careful reading of the cited reference, the only capacitor mentioned by Diede is a series capacitor used as a reference impedance discontinuity that is disposed within the path of transmitted microwave signals and is used to form a reference for distance measurements (Column 3, ll. 58-63 and column 4, ll. 47-60). The capacitor mentioned by Diede is used for its impedance only and is not a storage capacitor used to charge the transducer. As such the capacitor arrangement taught by Diede is not coupled to an output of the power management unit, as presently recited in the independent claims. Specifically, both independent claims 1 and 7 recite, ". . . said

power management unit having an output coupled to a storage capacitor for charging said storage capacitor . . ."

In view of these differences, it is submitted that one skilled in the art would not be motivated to modify the teachings of Diede. Furthermore, even if one skilled in the art were to modify the teaching of Diede, the resulting system would not be the same as that defined by independent claims 1 and 7. Therefore, it is submitted that the present invention as defined by claims 1 and 7 is not obvious of view of the cited reference. Since the remaining claims depend either directly or indirectly from independent claims 1 and 7, it is submitted that these claims are also not obvious for the same reasons.

It is respectfully submitted that the present amendments herein represent a complete response to all outstanding issues and place the subject application into condition for allowance. Favorable consideration and allowance is respectfully requested.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Application No. 10/675,331
Response dated May 3, 2005
Reply to Office Action mailed February 4, 2005

Dated this 3 day of May, 2004.

Respectfully submitted,

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